

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

BARBARA FELDMAN and
EDWARD FELDMAN, her husband,

Plaintiffs,

vs.

Case No. 3:19-cv-419-MMH-PDB

TARGET CORPORATION,
a Foreign Profit Corporation,

Defendant.

_____ /

ORDER

THIS CAUSE is before the Court on Defendant Target Corporation’s (“Target”) Motion for Reconsideration (Doc. 82; Motion), filed on April 1, 2021. In the Motion, Target seeks reconsideration of the Court’s March 29, 2021 Order (Doc. 81)¹ pursuant to Rule 59(e), Federal Rules of Civil Procedure. See

¹ In the Motion, Target requests reconsideration of the Court’s “ruling pronounced on the record on March 22, 2021 at the conclusion of the hearing on Target’s Motion for Summary Judgment.” See Motion at 1. During the March 22, 2021 hearing before the undersigned (Doc. 78; March 22 Hearing), the Court considered, inter alia, Target’s Motion for Summary Judgment (Doc. 50; Motion for Summary Judgment), and heard arguments from the parties. The Court also rejected, in part, Target’s arguments, and determined that its Motion for Summary Judgment was due to be granted in part and denied in part in an order to follow the hearing. See generally Excerpt of Motion Hearing (Doc. 79); see also Clerk’s Minutes (Doc. 78). Thus, it was not until the Court’s entry of an order on March 29, 2021 that the Court ruled on Target’s Motion for Summary Judgment. See Order (Doc. 81). Therefore, the Court construes Target’s Motion as seeking reconsideration of the Court’s March 29, 2021 Order, and the reasoning underlying that Order as expressed during the March 22 Hearing.

generally Motion. On April 14, 2021, Plaintiff Barbara Feldman² filed a response to the Motion. See Plaintiff's Response in Opposition to Defendant Target Corporation's Motion for Reconsideration and Accompanying Memorandum of Law (Doc. 83; Response).

As Target fails to identify newly discovered evidence, manifest errors of law or fact, or any other grounds for relief, the Court will adhere to its March 29, 2021 Order granting in part and denying in part Target's Motion for Summary Judgment (Doc. 81). See Taylor Woodrow Constr. Corp. v. Sarasota/Manatee Airport Auth., 814 F. Supp. 1072, 1072 (M.D. Fla. 1993) ("The Court's reconsideration of a prior order is an extraordinary remedy. Exercise of this power must of necessity be used sparingly."). Accordingly, it is hereby

ORDERED:

Defendant Target Corporation's Motion for Reconsideration (Doc. 82) is **DENIED.**

DONE AND ORDERED in Jacksonville, Florida on May 6, 2021.



Timothy J. Corrigan
TIMOTHY J. CORRIGAN
United States District Judge

² On February 13, 2020, the parties filed a stipulation of dismissal of the claim of Plaintiff Edward Feldman. See Stipulation of Dismissal with Prejudice as to Claim of Edward Feldman Only (Doc. 46). Accordingly, the Court dismissed with prejudice the claim raised by Edward Feldman and directed the Clerk of the Court to terminate him from the docket. See Order (Doc. 47). Thus, Barbara Feldman is the sole remaining plaintiff in this action.

lc27

Copies to:

Counsel of Record